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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/791,851

03/04/2004

Shingo Sawahara

1248-0702P

5312

2292

7590

06/30/2005

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EXAMINER

CHAN, WING F

ART UNIT

PAPER NUMBER

2643

DATE MAILED: 06/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/791,851

Applicant(s)

SAWAHARA ET AL.

Examiner

Wing F. Chan

Art Unit

2643

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-50 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 6/17/05 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

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1. This Office action is responsive to the amendment filed 6/10/05. As directed by the amendment, claims 41, 42 were amended. Thus, claims 1-50 are presently pending in this application.

2. Applicants' failure to address the rejections using Sato et al (US PUB. NO. 2004/0048633) is treated as an admission and concession that Sato does anticipate the claims, therefore the rejection using Sato stands and is maintained.

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 1-11, 18-28, 35-42, 49, 50 are rejected under 35 U.S.C. 102(b) as being anticipated by Kawasaki et al (US PUB. NO. 2002/0142810 hereinafter Kawasaki).

Kawasaki discloses a foldable multifunctional mobile electronic device having a mobile phone function, a digital camera function, etc. as claimed. Kawasaki's device comprises a main body 1 and a cover portion 11 having inner and outer surfaces as claimed, having a main display 13, a sub display 21, a camera lens section 22, where either the main display or the sub display serves as a finder for the camera, and a shutter button 14i. Kawasaki also teaches the displays provide the user with caller identification information. See abstract, Figs. 1A-11, [0002, 0005, 0010-0012, 0019, 0033, 0046-0086, 0108-0109] for example.

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5. Claims 1-50 are rejected under 35 U.S.C. 102(a) as being anticipated by Kitamura et al (JP 2003-298884 hereinafter Kitamura).

As to claims 1-33, 35-50, Kitamura discloses a foldable multifunctional mobile electronic device having a mobile phone function, a digital camera function, etc. as claimed. Kitamura's device comprises a main body and a cover portion (see Fig. 1) having inner and outer surfaces, having a main display 106, a sub display 107, a first camera lens section 102, a second camera section 101, where either the main display or the sub display serves as a finder for the camera, and shutter buttons (110) for controlling the cameras. Kitamura also teaches the displays provide the user with caller identification information. See abstract, Figs. 1-10, [0014-0062] for example.

As to claim 34, see Fig. 5b, which shows simultaneously displaying two images on the main display.

6. Claims 1-33, 35-50 are rejected under 35 U.S.C. 102(e) as being anticipated by Sato et al (US PUB. NO. 2004/0048633 hereinafter Sato).

As to claims 1-33, 35-50, Sato discloses a foldable multifunctional mobile electronic device having a mobile phone function, a digital camera function, etc. as claimed. Sato's device comprises a main body and a cover portion (see Figs. 1A, 1B) having inner and outer surfaces, having a main display 11, a sub display 7, a first camera lens section 10, a second camera section 8, where either the main display or the sub display serves as a finder for the camera, and shutter buttons for controlling the

cameras. Sato also teaches the displays provide the user with caller identification information. See abstract, Figs. 1-5, [0020-0026, 0069-0112] for example.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Vallas (JP 10-304293) discloses it is old and well known in the art to use the display of the portable telephone as the view finder, e.g. see Figs 1, 3.

Kim et al (US PUB. NO. 2005/0085263 filed 3/31/00) discloses it is old and well known in the art to use the display of the portable telephone as the view finder, e.g. see Figs 6, 7.

8. Applicant's arguments filed 6/10/05 have been fully considered but they are not persuasive.

Applicant's remarks regarding Kawasaki are unfounded. Kawasaki clearly teaches using the sub display as a view finder for the camera, for example see Fig. 4B, section [0111]. Kawasaki also in Fig. 5 steps S1001-S1005 discloses using the sub display and main display as a view finder for example. Therefore, contrary to applicant's remarks on page 15-17, Kawasaki does teach using the sub and/or main display as a view finder for the phone's camera.

Applicant's remarks regarding Kitamura on pages 17-18 are unfounded. Applicant's remarks that 110 in Kitamura refer to a flowchart is clearly in error. Kitamura (JP 2003-298884) clearly teaches an actuation key section that includes shutter

buttons, see Fig. 2 and sections [0012, 0015] of the translation submitted by applicant for example which discloses actuation key section 110 is used for controlling the cameras. For the record, the term "migration" as used in the translation should be mobile or portable to be correct. Kitamura does teach using the sub and/or main display as a view finder for the phone's camera, for example see section [0005-0008, 0015], Figs. 3-5. Therefore, contrary to applicant's remarks on page 17-18, Kitamura does teach using the sub and/or main display as a view finder for the phone's camera.

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wing F. Chan whose telephone number is 571-272-7493. The examiner can normally be reached on Monday to Friday from 9 AM to 6 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on 571-272-7499. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Wing F. Chan  
Primary Examiner  
Art Unit 2643

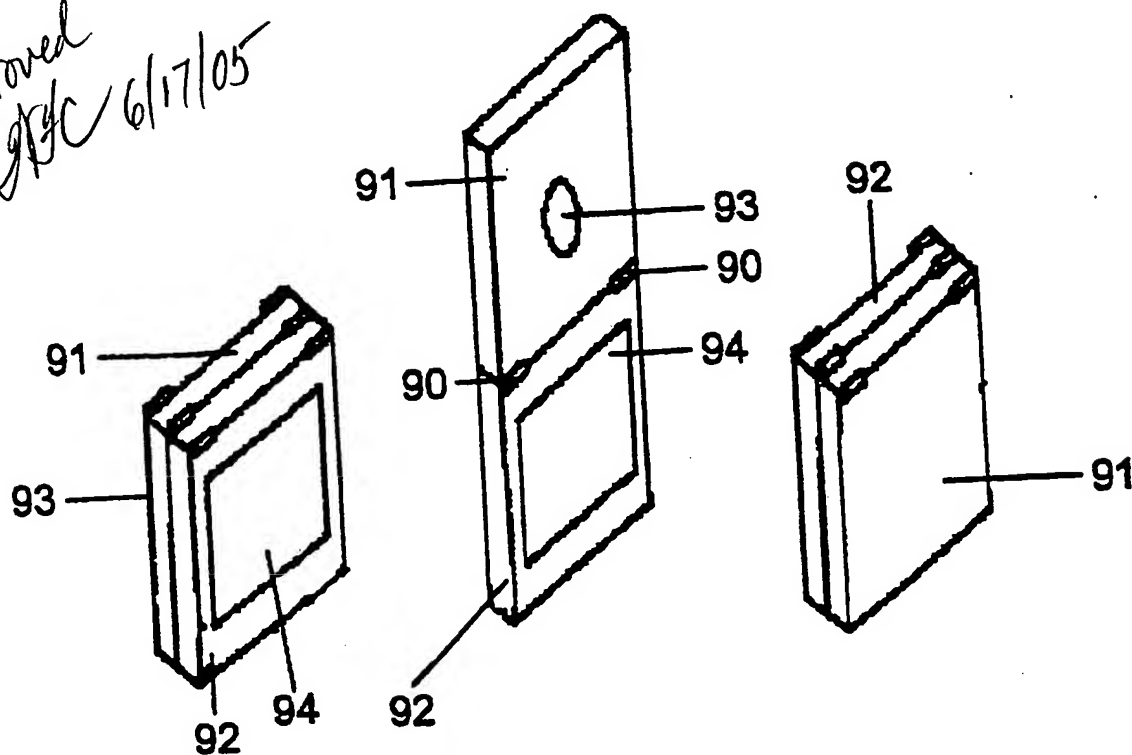
6/24/05

FIG. 10 (a)

PRIOR ART  
FIG. 10 (b)

FIG. 10 (c)

*approved  
gpc 6/17/05*



PRIOR ART

FIG. 11 (a)

FIG. 11 (b)

FIG. 11 (c)

